

## **REMARKS**

Favorable reconsideration and allowance of this application are respectfully requested.

Reconsideration and withdrawal of the restriction requirement advanced in the Official Action of November 8, 2006 is requested in view of the amendments presented above and the remarks below.

### **I. DISCUSSION OF CLAIM AMENDMENTS**

At the outset, the Examiner will observe that the claims have been amended so as to be definitively directed to a product per se – i.e., a biodegradable fibrous support. More specifically, independent claim 1 has been amended so as to clarify that the biodegradable fibrous support for soil mulching comprises a fibrous mass and biodegradable thermobonding fibres distributed in the fibrous mass.

In addition, the claims have been amended so as to be fully commensurate with 35 USC §112, second paragraph.

The various alternative expressions (i.e., the relative positioning of the gird vis-à-vis the support as originally defined in claim 4, and the alternative amounts and components defined in original claims 3, 8, 15 and 16 ) have been presented as new claims 21-29. Each such new claim is however dependent directly or indirectly from independent claim 1 which, as noted previously, defines a biodegradable fibrous support per se.

Therefore, claims 1-29 remain pending in this application for which an action on the merits is solicited.

**ii. RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES**

So applicants may be deemed to be fully responsive to the November 8, 2006 Official Action, the claims of Group II, including original claims 1-3, 6 and 9-20 drawn to a product (fibrous support) are elected for prosecution herein. As noted above, however, since independent claim 1 and all its dependents are now clearly drawn to a product (fibrous support), an examination on the merits of all pending claims 1-29 is believed to be in order.<sup>1</sup>

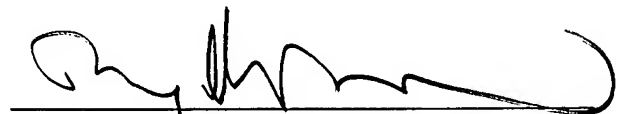
In response to the asserted election of species, applicants elect for further prosecution the species of Species-IISFCCB (prior claims 1, 2 and 20) and Species-IIGBP (claim 4), and Species IICBNL (claim 17). All claims appear to read on the elected species with claims 1, 3, 5-16, 18-19 and 21-29 being generic thereto.

Favorable action on the merits of all pending claims 1-29 is awaited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:



Bryan H. Davidson  
Reg. No. 30,251

BHD:bcf  
901 North Glebe Road, 11<sup>th</sup> Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

---

<sup>1</sup> Applicants respectfully fail to see how a single independent claim – i.e., prior claim 1 – could possibly have been patentably distinct from itself as asserted in the restriction requirement advanced in the Official Action of November 8, 2006. Specifically, applicants fail to see how a single claim could be considered *not* to be so linked to itself as to form a single general inventive concept. In any event, the amendments made to independent claim 1 and the claims dependent therefrom render such an issue moot.